## Case 3:11-cv-04790-JW Document 19 Filed 12/19/11 Page 1 of 2

| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8 | Jennifer Lynch (SBN 240701)  jlynch@eff.org  ELECTRONIC FRONTIER FOUNDATION 454 Shotwell Street San Francisco, CA 94110 Telephone: (415) 436-9333 Facsimile: (415) 436-9993  David L. Sobel (pro hac vice) sobel@eff.org ELECTRONIC FRONTIER FOUNDATION 1818 N Street, N.W., Suite 410 Washington, DC 20036 Telephone: (202) 797-9009 x104 Facsimile: (202) 707-9066  Attorneys for Plaintiff | IT IS SO ORDERED  Judge James Ware  |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 10                                   | ELECTRONIC FRONTIER FOUNDATION                                                                                                                                                                                                                                                                                                                                                                | PRIV DISTRICT OF CU                 |
| 11                                   | UNITED STATES DISTRICT COURT                                                                                                                                                                                                                                                                                                                                                                  |                                     |
| 12                                   | FOR THE NORTHERN DISTRICT OF CALIFORNIA                                                                                                                                                                                                                                                                                                                                                       |                                     |
| 13                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 14                                   | ELECTRONIC FRONTIER FOUNDATION,                                                                                                                                                                                                                                                                                                                                                               | ) Case No. 3:11-cv-04790-JW         |
| 15                                   | Plaintiff,                                                                                                                                                                                                                                                                                                                                                                                    | STIPULATION OF DISMISSAL            |
| 16                                   | v.                                                                                                                                                                                                                                                                                                                                                                                            | Courtroom 9, 19 <sup>th</sup> Floor |
| 17<br>18                             | THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE,                                                                                                                                                                                                                                                                                                                                          | Hon. James Ware                     |
| 19                                   | Defendant.                                                                                                                                                                                                                                                                                                                                                                                    |                                     |
| 20                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 21                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 22                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 23                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 24                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
| 25                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
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| 27                                   |                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
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| 1        | STIPULATION OF DISMISSAL                                                                             |                                                                  |  |
|----------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|--|
| 2        |                                                                                                      |                                                                  |  |
| 3        | Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, plaintiff Electronic       |                                                                  |  |
| 4        | Frontier Foundation and defendant Office of the Director of National Intelligence stipulate that all |                                                                  |  |
| 5        | claims in the above-captioned case are dismissed in their entirety. The parties agree to bear their  |                                                                  |  |
| 6        | respective fees and costs.                                                                           |                                                                  |  |
| 7        | DATED: December 15, 2011                                                                             | Respectfully submitted,                                          |  |
| 8        | TONY WEST                                                                                            |                                                                  |  |
| 9        | Assistant Attorney General                                                                           | /s/ Jennifer Lynch                                               |  |
| 10       | MELINDA HAAG                                                                                         | •                                                                |  |
| 11       | United States Attorney                                                                               | Jennifer Lynch, Esq. ELECTRONIC FRONTIER FOUNDATION              |  |
| 12       | ELIZABETH J. SHAPIRO Deputy Director, Federal Programs Branch                                        | 454 Shotwell Street<br>San Francisco, CA 94110                   |  |
| 13       |                                                                                                      | David L. Sobel (admitted pro hac vice)                           |  |
| 14       | /s/ Nicholas Cartier                                                                                 | ELECTRONIC FRONTIÉR FOUNDÁTION<br>1818 N Street, N.W., Suite 410 |  |
| 15       | NICHOLAS CARTIER,                                                                                    | Washington, DC 20009                                             |  |
| 16       | CA Bar #235858 Trial Attorney, Federal Programs Branch Civil Division                                | Attorneys for Plaintiff ELECTRONIC FRONTIER FOUNDATION           |  |
| 17       | 20 Massachusetts Ave NW, 7224<br>Washington, DC 20044                                                |                                                                  |  |
| 18<br>19 | Attorneys for Defendant OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE                              |                                                                  |  |
| 20       | GENERAL ORDER NO. 45(X) CERTIFICATION                                                                |                                                                  |  |
| 21       | I attest that I have obtained Nicholas Cartier's concurrence in the filing of this document.         |                                                                  |  |
| 22       |                                                                                                      |                                                                  |  |
| 23       |                                                                                                      | <u>/s/Jennifer Lynch</u><br>Jennifer Lynch                       |  |
| 24       | *                                                                                                    | * *                                                              |  |
| 25       | PURSUANT TO STIPULATION, IT IS SO ORDERED.                                                           |                                                                  |  |
| 26       |                                                                                                      |                                                                  |  |
| 27       | Dated: 12/19/11 Ygn. James Ware  Chief United States District Judge                                  |                                                                  |  |
| 28       |                                                                                                      |                                                                  |  |
| 20       | -1-<br>STIPULATION OF DISMISSAL                                                                      |                                                                  |  |
|          |                                                                                                      |                                                                  |  |

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